

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JOHN R. EVATT,)
)
Plaintiff,)
) Civil No. 04-3092-CO
v.)
) ORDER
PHIL SWISHER and RAY)
LAMARSH, Code Enforcement)
Officers,)
)
Defendants.)
)

Magistrate Judge John P. Cooney filed Findings and Recommendation on March 9, 2005, in the above entitled case. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc.,

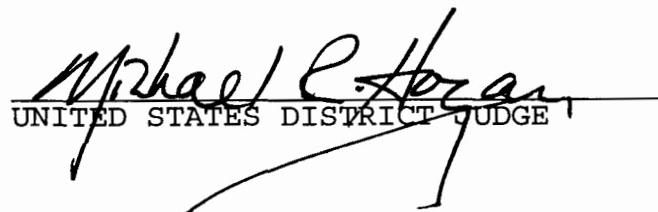
656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Plaintiff has timely filed objections. I have, therefore, given de novo review of Magistrate Judge Cooney's rulings.

I find no error. Accordingly, I ADOPT Magistrate Judge Cooney's Findings and Recommendation filed March 9, 2005, in its entirety. Defendants' motion to compel (#10) is denied as moot, defendants' motion for summary judgment (#6) is granted, and this case is dismissed.

IT IS SO ORDERED.

DATED this 22nd day of April, 2005.



UNITED STATES DISTRICT JUDGE